

## **UNSAFE STRUCTURES BOARD HEARING MINUTES OF January 17<sup>th</sup>, 2007**

**Members Present:** James Cueva, C James Starkweather Kevin Deeb  
Abel Ramirez Benjamin S. Essien Emile Amedee  
Jose Vera Carlos Naumann

**Absent:** Gordon Loader, VC

**Staff:** Alvaro Cosculluela, Acting Secretary  
Benjamin Simon, Assistant County Attorney  
Latisha Byrd, Recording Secretary

**Court Reporter:** Janice Aguirre, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 2:10 P.M. on Wednesday, January 17<sup>th</sup>, 2007, on the 16<sup>th</sup> Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. James Cueva, requested a motion to approve and accept the minutes of the December 13<sup>th</sup>, 2006 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Vera seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Alvaro Cosculluela then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

### **Unincorporated Miami-Dade County:**

DC2006096599U	13700 Collins Avenue
DCF2005104982U	961 NE 172 Street, #1
DCF2006105687U	2321 NW 62 Street, #1
DCF2006105761U	15901 SW 157 Avenue, #1
DCF2006105775U	3100 NW 62 Street, #1
DCF2006106088U	29650 South Dixie Hwy., #1
DCF2006106470U	2321 NW 62 Street, #02

### **City of Miami:**

M07-001	37 NW 64 Street
M07-002	87 NE 55 Street A/K/A 85-87 NE 55 Street
M07-004	421 NW 62 Street
M07-005	1401 NW 55 Terrace A/K/A 5540 NW 14 Avenue

Mr. Cosculluela then announced that the following Unincorporated Miami-Dade County case have made **No Contest/No Show with the Building Official:**

### **Unincorporated Miami-Dade County:**

DCF2006106209U	19002 W. Dixie Highway, #1
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Mr. Cosculluela then announced that the following Unincorporated Miami-Dade County, City of Miami and Village of Pinecrest cases were **Withdrawn/Deferred:**

### **Unincorporated Miami-Dade County:**

DC2006093818U	2295 NW 46 Street
DCF2006105906U	698 NE 167 Street, #1

## **UNSAFE STRUCTURES BOARD HEARING MINUTES OF January 17<sup>th</sup>, 2007**

**Members Present:** James Cueva, C James Starkweather Kevin Deeb  
Abel Ramirez Benjamin S. Essien Emile Amedee  
Jose Vera Carlos Naumann

**Absent:** Gordon Loader, VC

**Staff:** Alvaro Cosculluela, Acting Secretary  
Benjamin Simon, Assistant County Attorney  
Latisha Byrd, Recording Secretary

**Court Reporter:** Janice Aguirre, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 2:10 P.M. on Wednesday, January 17<sup>th</sup>, 2007, on the 16<sup>th</sup> Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. James Cueva, requested a motion to approve and accept the minutes of the December 13<sup>th</sup>, 2006 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Vera seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Alvaro Cosculluela then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

### **Unincorporated Miami-Dade County:**

DC2006096599U	13700 Collins Avenue
DCF2005104982U	961 NE 172 Street, #1
DCF2006105687U	2321 NW 62 Street, #1
DCF2006105761U	15901 SW 157 Avenue, #1
DCF2006105775U	3100 NW 62 Street, #1
DCF2006106088U	29650 South Dixie Hwy., #1
DCF2006106470U	2321 NW 62 Street, #02

### **City of Miami:**

M07-001	37 NW 64 Street
M07-002	87 NE 55 Street A/K/A 85-87 NE 55 Street
M07-004	421 NW 62 Street
M07-005	1401 NW 55 Terrace A/K/A 5540 NW 14 Avenue

Mr. Cosculluela then announced that the following Unincorporated Miami-Dade County case have made **No Contest/No Show with the Building Official:**

### **Unincorporated Miami-Dade County:**

DCF2006106209U	19002 W. Dixie Highway, #1
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Mr. Cosculluela then announced that the following Unincorporated Miami-Dade County, City of Miami and Village of Pinecrest cases were **Withdrawn/Deferred:**

### **Unincorporated Miami-Dade County:**

DC2006093818U	2295 NW 46 Street
DCF2006105906U	698 NE 167 Street, #1

DCF2006106459U

18975 NE 2 Avenue, #12

**City of Miami:**

M07-003

141 NW 56 Street

M07-006

6400 NW 7 Avenue

**Village of Pinecrest:**

VOP2007-001

9550 SW 67<sup>th</sup> Avenue

The cases and photographs were submitted to the Board for review and were called by Mr. Cosculluela.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Cosculluela. Mr. Vera seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Cosculluela then called forth the first case to be heard by the City of Miami Beach, Unsafe Structures Unit.

**City of Miami Beach:**

BV07000159

1632 Meridian Avenue

Mrs. Rhonda Montoya-Hasan, City Attorney, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mrs. Montoya-Hasan gave an account of the structure and recommended that “said structure shall be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the unsafe structures unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” She then informed the Board that the City will give a presentation to show the unsafe of the building.

Mrs. Montoya-Hasan then stated that the City issued several violations on the property and nothing has been done. She informed the Board that the current owners knew what they were buying into. Mrs. Montoya-Hasan also stated that a permit was issued in 2006, but they didn’t follow through with it.

Mr. Mohammed presented a video to the Board to show the damages to the property.

Mr. Starkweather asked why save the property in the condition that it is in.

Mr. Mohammed replied that the percentage of the property is considered unsafe according to the code. He then indicated that the concrete crumbles in your hands and it’s extremely dangerous and it shouldn’t be rehabilitated.

Mr. Kent Robbins, Attorney, indicated that his client has shown a lot of effort to comply. He then stated that the owner would like to preserve the building.

Mr. Juan Fernandez-Bargin, Owner, informed the Board that the bracing had to be installed while floors were in place.

Mr. Gene Miller, Engineer, described the property to the Board and stated that it can be done in a couple of weeks if the City gives the permit.

Mrs. Montoya-Hasan expressed her concerns about the walls collapsing.

Mr. Fernandez then asked the Board for more time to bring property up to code.

Mr. Cueva asked how much time is needed.

Mr. Fernandez replied that he would need at least a year to complete all the work.

Mr. Robbins informed the Board that the owner has been done with the property, but will need additional time to save the property.

Mr. Javier Soto, Attorney, stated that he owns one apartment of No. 1602 and had to issue an eviction notice to all tenants. He then stated that he has not been able to rent it out because of the damages to the property. Mr. Soto also stated the he is in favor of the City to demolish the property.

Ms. Elsa Ruiz, Interested Party, stated that she had lived in Miami Beach for a very long time and her business has suffered because of the unsafe condition of the property that is nearby. She also stated that she has not been able to rent out her apartments. Ms. Ruiz also stated that the property has been in that condition for a long time and doesn't see the owner making any effort to fix it.

After some discussion, Mr. Starkweather moved that "The Unsafe Structures Board gave the owner ninety (90) days to allow the Engineer to submit plans to the Building Official of the City of Miami Beach, Building Department for review and structural approval and report to the Unsafe Structures Board on April 18<sup>th</sup>, 2007. Said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure is to be secured in order to protect the members of the public in the event that the structure may collapse. The structure shall also be secured in a way to prevent unauthorized individuals from gaining entry to the structure. The method of securing to be employed shall be to the satisfaction of the City of Miami Beach Building Official." Mr. Naumann seconded the motion.

Mr. Cosculluela administered a roll call vote as requested by the Chairman.

**Motions passed 5 to 2. (Mr. Amedee and Mr. Deeb opposed)**

*(For a verbatim version, please refer to the transcripts)*

There being no further business, a motion was made by Mr. Starkweather to adjourn the meeting at 4:35 P.M. and seconded by Mr. Amedee.

**Prepared by:** \_\_\_\_\_  
**Recording Secretary**

\_\_\_\_\_  
**Chairperson**

**Date:** \_\_\_\_\_

DCF2006106459U

18975 NE 2 Avenue, #12

**City of Miami:**

M07-003

141 NW 56 Street

M07-006

6400 NW 7 Avenue

**Village of Pinecrest:**

VOP2007-001

9550 SW 67<sup>th</sup> Avenue

The cases and photographs were submitted to the Board for review and were called by Mr. Cosculluela.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Cosculluela. Mr. Vera seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Cosculluela then called forth the first case to be heard by the City of Miami Beach, Unsafe Structures Unit.

**City of Miami Beach:**

BV07000159

1632 Meridian Avenue

Mrs. Rhonda Montoya-Hasan, City Attorney, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mrs. Montoya-Hasan gave an account of the structure and recommended that “said structure shall be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the unsafe structures unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” She then informed the Board that the City will give a presentation to show the unsafe of the building.

Mrs. Montoya-Hasan then stated that the City issued several violations on the property and nothing has been done. She informed the Board that the current owners knew what they were buying into. Mrs. Montoya-Hasan also stated that a permit was issued in 2006, but they didn’t follow through with it.

Mr. Mohammed presented a video to the Board to show the damages to the property.

Mr. Starkweather asked why save the property in the condition that it is in.

Mr. Mohammed replied that the percentage of the property is considered unsafe according to the code. He then indicated that the concrete crumbles in your hands and it’s extremely dangerous and it shouldn’t be rehabilitated.

Mr. Kent Robbins, Attorney, indicated that his client has shown a lot of effort to comply. He then stated that the owner would like to preserve the building.

Mr. Juan Fernandez-Bargin, Owner, informed the Board that the bracing had to be installed while floors were in place.

Mr. Gene Miller, Engineer, described the property to the Board and stated that it can be done in a couple of weeks if the City gives the permit.

Mrs. Montoya-Hasan expressed her concerns about the walls collapsing.

Mr. Fernandez then asked the Board for more time to bring property up to code.

Mr. Cueva asked how much time is needed.

Mr. Fernandez replied that he would need at least a year to complete all the work.

Mr. Robbins informed the Board that the owner has been done with the property, but will need additional time to save the property.

Mr. Javier Soto, Attorney, stated that he owns one apartment of No. 1602 and had to issue an eviction notice to all tenants. He then stated that he has not been able to rent it out because of the damages to the property. Mr. Soto also stated the he is in favor of the City to demolish the property.

Ms. Elsa Ruiz, Interested Party, stated that she had lived in Miami Beach for a very long time and her business has suffered because of the unsafe condition of the property that is nearby. She also stated that she has not been able to rent out her apartments. Ms. Ruiz also stated that the property has been in that condition for a long time and doesn't see the owner making any effort to fix it.

After some discussion, Mr. Starkweather moved that "The Unsafe Structures Board gave the owner ninety (90) days to allow the Engineer to submit plans to the Building Official of the City of Miami Beach, Building Department for review and structural approval and report to the Unsafe Structures Board on April 18<sup>th</sup>, 2007. Said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure is to be secured in order to protect the members of the public in the event that the structure may collapse. The structure shall also be secured in a way to prevent unauthorized individuals from gaining entry to the structure. The method of securing to be employed shall be to the satisfaction of the City of Miami Beach Building Official." Mr. Naumann seconded the motion.

Mr. Cosculluela administered a roll call vote as requested by the Chairman.

**Motions passed 5 to 2. (Mr. Amedee and Mr. Deeb opposed)**

*(For a verbatim version, please refer to the transcripts)*

There being no further business, a motion was made by Mr. Starkweather to adjourn the meeting at 4:35 P.M. and seconded by Mr. Amedee.

**Prepared by:** \_\_\_\_\_  
**Recording Secretary**

\_\_\_\_\_  
**Chairperson**

**Date:** \_\_\_\_\_

**UNSAFE STRUCTURES BOARD HEARING MINUTES OF February 21<sup>st</sup>, 2007**

**Members Present:** James Cueva, C Gordon Loader, VC James Starkweather  
Kevin Deeb Abel Ramirez Emile Amedee  
Carlos Naumann

**Absent:** Benjamin S. Essien Jose Vera

**Staff:** Alvaro Cosculluela, Acting Secretary  
Benjamin Simon, Assistant County Attorney  
Daniel Frastai, Assistant County Attorney  
Latisha Byrd, Recording Secretary

**Court Reporter:** Janette Taylor-Brown, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:25 P.M. on Wednesday, February 21<sup>st</sup>, 2007, on the 16<sup>th</sup> Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. James Cueva, requested a motion to approve and accept the minutes of the January 17<sup>th</sup>, 2007 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Amedee seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Alvaro Cosculluela then announced that the following Unincorporated Miami-Dade County cases have made **agreements with the Building Official:**

**Unincorporated Miami-Dade County:**

DCF2006105877U	920-26 NW 119 Street, #1
DCF2006106444U	16490 SW 304 Street, #1

Mr. Cosculluela then announced that the following Unincorporated Miami-Dade County cases have made **No Contest/No Show with the Building Official:**

**Unincorporated Miami-Dade County:**

DC20060101665U	27610 South Dixie Highway
DC20060102010U	12140 SW 202 Street

Mr. Cosculluela then announced that the following Unincorporated Miami-Dade County and City of South Miami cases were **Withdrawn/Deferred:**

**Unincorporated Miami-Dade County:**

DC20060100885U	9401 NW 17 Avenue
DC2006095704U	6901 NW 26 Avenue
DCF2006105601U	26401 South Dixie Highway, #2
DCF2006105606U	57 NE 179 Street, #1
DCF2006105607U	57 NE 179 Street, #2
DCF2006105874U	13210 Memorial Highway., #1
DCF2006106072U	11450 SW 187 Street, #1
DCF2006106460U	19001 NE 2 Avenue, #4

**City of South Miami:**

SM06-02

6443 SW 60 Avenue

The cases and photographs were submitted to the Board for review and were called by Mr. Cosculluela.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Cosculluela. Mr. Deeb seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Cosculluela then called forth the first case to be heard by the City of Miami, Unsafe Structures Unit.

**City of Miami:**

M06-021

420 NW 40 Street

Mr. Cedric Mar, Chief, City of Miami Unsafe Structures Unit, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Mar gave an account of the structure and recommended that “said structure shall be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the unsafe structures unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Mar stated that the City issued several violations on the property and nothing had been done. He then gave a recap on the case indicating that this property had gone before the Unsafe Structure Board before. He informed the Board that the owners presented an outlined timeframe with completion dates for repairs on the property.

Mr. Ira Giller, Architect, gave the status of the structures and indicated that the property is not occupied. He informed the Board that the Owner’s intent is to do all the necessary repairs. Mr. Giller then requested additional time for the sale of the property.

Mr. Loader asked Mr. Giller how much time was needed to conduct the repairs.

Mr. Giller replied that it could take up to 90 days to obtain the permits to complete the repairs.

After some discussion, Mr. Starkweather moved that “Said structure(s) be secured within five 5 working days. The structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with Laboratory Tests, Engineer’s Certification and Architect/Engineer’s sealed plans. The Engineer’s Certification or Laboratory Tests must be submitted by April 30<sup>th</sup>, 2007. A building permit must be obtained for structures for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to



Section 10-5(2) of the Miami-Dade County Code by November 30<sup>th</sup>, 2007. The complete building or structure shall be made to conform to all the requirements for a new building or structure and shall be completed by July 31<sup>st</sup>, 2008 after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible. The Unsafe Structures Board shall retain jurisdiction.” Mr. Naumann seconded the motion.

Mr. Cosculluela administered a roll call vote as requested by the Chairman.

**Motions passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

**Annual Voting for Chairman & Vice-Chairman**

The Board acknowledged the Election of Chairman and Vice Chairman for the Unsafe Structures Board on the agenda.

Mr. Starkweather then elected Mr. Cueva for Chairman and Mr. Loader for Vice-Chairman. Mr. Deeb seconded the motion.

Mr. Cueva and Mr. Loader thanked everyone for all their kind words and acknowledged the extraordinary contributions of their fellow Board members for over the last 12 months where they faced significant challenges. Specifically, the limited number of Board members seated at this time, which required a hundred percent attendance from all of them. They thanked the members for their commitment.

Mr. Cosculluela then administered a roll call vote as requested by the Chairman.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

There being no further business, a motion was made by Mr. Starkweather to adjourn the meeting at 2:02 P.M. and seconded by Mr. Ramirez.

**Prepared by:** \_\_\_\_\_  
**Recording Secretary**

\_\_\_\_\_  
**Chairperson**

**Date:** \_\_\_\_\_

## **UNSAFE STRUCTURES BOARD HEARING MINUTES OF March 21<sup>st</sup>, 2007**

**Members Present:** James Cueva, C James Starkweather Kevin Deeb  
Abel Ramirez Carlos Naumann Jose Vera  
Benjamin S. Essien

**Absent:** Gordon Loader, VC Emile Amedee

**Staff:** Alvaro Cosculluela, Acting Secretary  
Benjamin Simon, Assistant County Attorney  
Latisha Byrd, Recording Secretary

**Court Reporter:** Jannett Taylor-Brown, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:50 P.M. on Wednesday, March 21<sup>st</sup>, 2007, on the 16<sup>th</sup> Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. James Cueva, requested a motion to approve and accept the minutes of the February 21<sup>st</sup>, 2007 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Vera seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Alvaro Cosculluela then announced that the following Unincorporated Miami-Dade County cases have made **agreements with the Building Official:**

### **Unincorporated Miami-Dade County:**

DCF2005104830U	8601 Bird Road, #1
DCF2005104831U	8603 Bird Road, #1
DCF2005104908U	7200 Crandon Blvd., #46
DCF2006105907U	8301 NW 27 Avenue, #1
DCF2006106245U	3945 NW 32 Avenue, #1
DCF2006106422U	1430-34 NW 79 Street, #1

Mr. Cosculluela then announced that the following Unincorporated Miami-Dade County cases have made **No Contest/No Show with the Building Official:**

### **Unincorporated Miami-Dade County:**

DCF2006105941U	1121 NE 205 Terrace, #1
DCF2006106055U	8295 NW 4 Avenue, #1

Mr. Cosculluela then announced that the following Unincorporated Miami-Dade County cases were **Withdrawn/Deferred:**

### **Unincorporated Miami-Dade County:**

DCF2006106067U	7925 SW 24 Street, #1
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The cases and photographs were submitted to the Board for review and were called by Mr. Cosculluela.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Cosculluela. Mr. Deeb seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

The Board then heard a status report from Mr. Jose Perez with GSA regarding the Turner Guilford Knight Correctional Center (TGK).

Mr. Jose Perez, GSA, Representative for TGK, informed the Board of the status of the (TGK). He then informed the Board that it has been projected that the Smoke Evacuation and Fire Alarm system would be completed by June 2008. Mr. Perez then stated that June 24, 2008 remains the complete date to do all repairs. He also informed the Board that the bid has been approved by the Commission Board in the amount of 16 millions to complete all the necessary repairs. He also informed the Board that there are 20 pods in the facility and it depends on the amount of crew to determine how long it will take to complete each pod. Mr. Perez further informed the Board it could take up to a month to complete each pod. He then informed the Board that the testing of the fire alarm must be completed prior to any repairs. Mr. Perez informed the Board that the Stockade repairs have been completed. He then indicated that a walk through was done on November 22<sup>nd</sup>, 2006 to verify the punch list and all items were satisfied. Mr. Perez stated that the roofing work, structural and general repairs were 100% completed. He then further informed the Board that additional electrical work is expected to be completed by the end of May 2007.

After much discussion, Mr. Starkweather moved that “the Unsafe Structures Board accept the attached timelines of the completion of all repairs for the structure that was submitted to the Board regarding the Turner Guilford Knight Correctional Center (TGK). All repairs must be completed by August 12<sup>th</sup>, 2008. If any of the above conditions are not complied with, the Unsafe Structures Board shall retain jurisdiction.” Mr. Deeb seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

**Motions passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Cosculluela then called forth the first case to be heard by the City of Miami, Unsafe Structures Unit.

**Unincorporated Miami-Dade County:**

DC20070104217U                      525 NW 146 Street

Mr. Spencer Errickson, Building Inspector, Unsafe Structures Unit, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account of the structure and recommended that “said structure shall be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the unsafe structures unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Ms. Joan Dyer, Owner, stated that the property was purchased 4 years ago and wasn't aware that she needed a permit to demolish. She then informed the Board that she got a recertification and that is when the Building Department found all the violations. Ms. Dyer enlightened the Board that she is a senior citizen and working 2 jobs to maintain.

Mr. Starkweather asked Ms. Dyer who resides with her.

Ms. Dyer replied that her son lives with her.

Mr. Essien, Board Member, asked owner what are her plans to do with structure B & C.

Ms. Dyer answered that her son is lives in structure B and structure C is used for storage. She then stated that she would like to repair the structures.

Mr. Essien, suggested to repair structure A and demolish structures B & C. He then asked the owner will she be able to do the repairs if the Board gives her more time.

Ms. Dyer replied "yes". She then stated that she needs at least 6 months to obtain the permits.

After some discussion, Mr. Essien moved that "An electrical permit must be obtained for life safety issues. The electrical permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The electrical permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within thirty (30) days from today. The complete electrical work shall be made to conform to all the requirements for life safety issues and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the electrical permit. Said structure(s) (A), (B) & (C) shall be maintained secured within five 5 working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structures are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures (A), (B) & (C) must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The complete building or structures (A), (B) & (C) shall be made to conform to all the requirements for a new building or structures and shall be completed within three hundred sixty (360) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible. Said structure (D) shall be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible." Mr. Vera seconded the motion.

Mr. Cosculluela administered a roll call vote as requested by the Chairman.

**Motions passed 6 to 1. (Mr. Kevin Deeb opposed)**

*(For a verbatim version, please refer to the transcripts)*

There being no further business, a motion was made by Mr. Starkweather to adjourn the meeting at 2:45 P.M. and seconded by Mr. Vera.

**Prepared by:** \_\_\_\_\_  
**Recording Secretary**

\_\_\_\_\_  
**Chairperson**

**Date:** \_\_\_\_\_

## **UNSAFE STRUCTURES BOARD HEARING MINUTES OF April 18<sup>th</sup>, 2007**

**Members Present:** James Cueva, C James Starkweather Emile Amedee  
Abel Ramirez Carlos Naumann Jose Vera  
Benjamin S. Essien

**Absent:** Gordon Loader, VC Kevin Deeb

**Staff:** Alvaro Cosculluela, Acting Secretary  
Benjamin Simon, Assistant County Attorney  
Latisha Byrd, Recording Secretary

**Court Reporter:** Lorena Ramos, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:50 P.M. on Wednesday, April 18<sup>th</sup>, 2007, on the 16<sup>th</sup> Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. James Cueva, requested a motion to approve and accept the minutes of the March 21<sup>st</sup>, 2007 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Vera seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Alvaro Cosculluela then announced that the following Unincorporated Miami-Dade County cases have made **agreements with the Building Official:**

### **Unincorporated Miami-Dade County:**

DCF2006105980U	10455 NW 12 Avenue, #1
DCF2006106425U	3301 NW 79 Street, #1
DC20070104423U	1440 NW 72 Street, #4

Mr. Cosculluela then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **No Contest/No Show with the Building Official:**

### **Unincorporated Miami-Dade County:**

DCF2006105856U	11641 NE 2 Avenue, #1
DCF2006105879U	895 901 NW 91 Street, #1
DCF2006105880U	895 901 NW 91 Street, #2
DCF2006106191U	9300 NW 27 Avenue, #1

### **City of Miami:**

M07-008	1532 NE 1 Avenue
M07-009	5421 NW 5 Avenue

Mr. Cosculluela then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **Withdrawn/Deferred:**

### **Unincorporated Miami-Dade County:**

DC2005035837U	12400 SW 152 Street, B-8A6
DC20060101289U	2612 NW 27 Avenue

DC20060101975U  
DCF2004104482U  
DCF2006105937U  
DCF2006106480U

7155 NW 17 Avenue, #11  
3066 NW S. River Drive, #2  
2740 NW 75 Street, #1  
3333 N. River Drive, #2

**City of Miami:**

M07-007

159 NE 75 Street

The cases and photographs were submitted to the Board for review and were called by Mr. Cosculluela.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Cosculluela. Mr. Vera seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

The Board then heard a status report from Mrs. Rhonda Montoya-Hasan with the City of Miami Beach regarding the 1632 Meridian Avenue.

Mrs. Montoya-Hasan, City Attorney, City of Miami Beach, informed the Board of the status of 1632 Meridian Avenue. She stated that the owner's obtained a structural permit on April 16, 2007. Mrs. Montoya-Hasan then informed the Board that the Building Official of City of Miami Beach recommended that the work be completed within 60 days or the Building Department will demolish the building if compliance is not obtained.

Mr. Starkweather inquired if the apartments were occupied.

Mr. Andres Villanares, Representative, replied "yes".

Mr. Kenneth Harris Robbins, Attorney, stated that the owner did comply with the Board Order. He then requested for additional time and asked the Board to retain jurisdiction for safety issues, as well. Mr. Robbins further informed the Board that there are workers on site to do all the necessary repairs.

Mr. Essien, Member, asked Mr. Robbins how much time is needed to complete the stabilization of the property.

Mr. Robbins answered that he is not prepared to answer the question, however, the owner wants to make it safe for the public.

After much discussion, Mr. Essien moved that "Said structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with Engineer's Certification and Architect/Engineer sealed plans. A building permit must be obtained for structures for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a

qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within N/A days from today. The complete building or structure shall be made to conform to all the requirements for a new building or structure and shall be completed within sixty two (62) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible. Building Owner shall have a final inspection on existing permit by June 20<sup>th</sup>, 2007. The Unsafe Structures Board shall retain jurisdiction.” Mr. Starkweather seconded the motion.

Mr. Cosculluela administered a roll call vote as requested by the Chairman.

**Motions passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Cosculluela then called forth the second status report by the City of Miami, Unsafe Structures Unit.

**Unincorporated Miami-Dade County:**

M06-021

420 NW 40 Street

Mr. Cedric Mar, Chief, Unsafe Structures Unit, gave an account of the structure and recommended that “said structure shall be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the unsafe structures unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Mar stated that the City issued several violations on the property. He then gave a recap on the case indicating that this property had gone before the Unsafe Structures Board prior. He informed the Board that the owners presented an outlined timeframe with completion dates for repairs on the property at last hearing, but have not met the deadlines. Mr. Mar then mentioned that the graffiti and debris are not completely removed. He informed the Board that he visited the property today and stated that 70% of the graffiti had been removed with paint.

Mr. Starkweather enlightened the Board that the owners have until April 30<sup>th</sup>, 2007 to submit the report to the Building Department according to the Board’s Order.

Officer Harvey, City of Miami, informed the Board that the City would like to see the property demolished. He then informed the Board that it has been a lot of burglaries and homicides at this location. Officer Harvey stated that it’s a danger to the community because of the criminal activities that goes on around the premises.

Mr. Dale Pacardi, Interested Party, stated that he lives in the neighborhood and something needs to be done quickly because his home is effected by the damages of the property. He then informed the Board that this structure is a danger to the neighborhood.

Mrs. Smith, President of Neighborhood, gave the status of the structures and indicated that the property is not occupied. She informed the Board that the Owner’s intent is to do all the necessary repairs. Mrs. Smith then requested for additional time to do all the repairs. She then informed the Board that the Community is seeking solutions to raise funds to save the building.



After some discussion, Mr. Mar informed the Board that the case will return before the Unsafe Structures Board on May 16<sup>th</sup>, 2007.

There being no further business, a motion was made by Mr. Starkweather to adjourn the meeting at 2:40 P.M. and seconded by Mr. Ramirez.

**Prepared by:** \_\_\_\_\_  
**Recording Secretary**

\_\_\_\_\_  
**Chairperson**

**Date:** \_\_\_\_\_

## **UNSAFE STRUCTURES BOARD HEARING MINUTES OF May 16<sup>th</sup>, 2007**

**Members Present:** Gordon Loader, VC    James Starkweather    Emile Amedee  
Abel Ramirez    Carlos Naumann    Jose Vera  
Benjamin S. Essien    Kevin Deeb    Robert Sweeney

**Absent:** James Cueva, Chairman

**Staff:** Alvaro Cosculluela, Acting Secretary  
Daniel Frastai, Assistant County Attorney  
Latisha Byrd, Recording Secretary

**Court Reporter:** Jannett Taylor-Brown, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:25 P.M. on Wednesday, May 16<sup>th</sup>, 2007, on the 16<sup>th</sup> Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Gordon Loader, requested a motion to approve and accept the minutes of the April 18<sup>th</sup>, 2007 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Deeb seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Alvaro Cosculluela then announced that the following Unincorporated Miami-Dade County cases have made **agreements with the Building Official:**

### **Unincorporated Miami-Dade County:**

DC20070104652U	22210 SW 116 Avenue
DCF2006105703U	7100 NW 32 Avenue, #1
DCF2006105871U	9745 NW 7 Avenue, #1
DCF2006105997U	3320 NW 48 Street, #1
DCF2006105998U	3345 NW 48 Street, #1
DCF2006106080U	6707 NW 37 Avenue, #1
DCF2006106453U	1530 NE 191 Street, #3
DCF2006106463U	11051 SW 200 Street, #1

### **City of Miami:**

M07-010	30 E. Flagler Street
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Mr. Cosculluela then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **No Contest/No Show with the Building Official:**

### **Unincorporated Miami-Dade County:**

DCF2006105707U	3660 NW 21 Street, #1
DCF2006105758U	9720-22 SW 8 Street, #1
DCF2006105918U	17801 SW 107 Avenue, #1
DCF2006106009U	6707 NW 37 Avenue, #1
DCF2006106190U	9841 SW 88 Street, #1
DCF2006106334U	9411 NW 22 Avenue, #1
DCF2006106451U	6792 Brookline Drive, #1

DCF2006106461U

1511 NW 81 Street, #1

**City of Miami:**

M07-011

3441 Thomas Avenue

Mr. Cosculluela then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **Withdrawn/Deferred:**

**Unincorporated Miami-Dade County:**

DCF2005104580U

13101 NW 27 Avenue, #1

DCF2006105824U

10027 NW 7 Avenue, #1

DCF2006105937U

2740 NW 75 Street, #1

The cases and photographs were submitted to the Board for review and were called by Mr. Cosculluela.

After the Board reviewed each case file, Mr. Loader requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Cosculluela. Mr. Deeb seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Loader informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Cosculluela then called forth the first case to be heard by the City of Miami, Unsafe Structures Unit.

**City of Miami:**

M06-021

420 NW 40 Street

Mr. Cedric Mar, Chief, Unsafe Structures Unit, gave an account of the structure and recommended that “said structure shall be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the unsafe structures unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Mar stated that the City issued several violations on the property. He then gave a recap on the case indicating that this property had gone before the Unsafe Structures Board prior. He informed the Board that the owners presented an outlined timeframe with completion dates for repairs on the property at the last hearing, but have not met the deadlines. Mr. Mar then mentioned that the graffiti and debris are not completely removed. He informed the Board that he visited the property today and stated that 70% of the graffiti had been removed with paint.

Mr. Ira Giller, Architect, gave the status of the structures and indicated that the property is not occupied. He informed the Board that the Owner’s intent is to do all the necessary repairs, but they do not have the necessary funds. Mr. Giller then stated that the building is in bad condition, but it can be saved. He informed the Board that he had been seeking assistance at different agencies, but wasn’t successful.

Mr. Essien then asked Mr. Giller if the building worth saving.

Mr. Giller replied that it will cost less to demolish and rebuild.

Mr. Starkweather asked how long had the building been in the condition that it is in.

Mr. Mar answered that it has been at least ten years.

Mr. Graham, Interested Party, stated that he would want the building rehabilitated for the community. He then stated that the community needs a center for the kids to keep them occupied, but there are no funds available to rebuild.

Mrs. Smith, President of Neighborhood, gave the status of the structures and indicated that the property is not occupied. She informed the Board that the Owner's intent is to do all the necessary repairs. Mrs. Smith then requested additional time to do all the repairs. She then informed the Board that the Community is seeking solutions to raise funds to save the building.

Mr. Loader asked what are the danger to the property.

Mr. Mar replied that 70% of the roof is removed and it's a hazard to anyone that will be inside of the building.

Mr. Dale Pacardi, Interested Party, stated that he lives in the neighborhood and something needs to be done quickly because his home is affected by the damages of the property. He then informed the Board that this structure is a danger to the neighborhood.

After some discussion, Mr. Starkweather moved that "The Board hereby relinquishes jurisdiction of this case and authorizes the City of Miami to proceed with enforcement of the order issued by the Unsafe Structures Board on the hearing date of February 21<sup>st</sup>, 2007." Mr. Amedee seconded the motion.

Mr. Cosculluela administered a roll call vote as requested by the Chairman.

**Motions passed 8 to 1. (Mr. Loader opposed)**

*(For a verbatim version, please refer to the transcripts)*

There being no further business, a motion was made by Mr. Starkweather to adjourn the meeting at 4:40 P.M. and seconded by Mr. Ramirez.

**Prepared by:** \_\_\_\_\_  
**Recording Secretary**

\_\_\_\_\_  
**Chairperson**

**Date:** \_\_\_\_\_

## **UNSAFE STRUCTURES BOARD HEARING MINUTES OF June 20<sup>th</sup>, 2007**

**Members Present:** James Cueva, Chairman      Gordon Loader, VC      James Starkweather  
Emile Amedee      Carlos Naumann      Kevin Deeb  
Robert Sweeney

**Absent:** Abel Ramirez      Jose Vera      Benjamin S. Essien

**Staff:** Alvaro Cosculluela, Acting Secretary  
Daniel Frastai, Assistant County Attorney  
Latisha Byrd, Recording Secretary

**Court Reporter:** Janice Aguirre, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:36 P.M. on Wednesday, June 20<sup>th</sup>, 2007, on the 16<sup>th</sup> Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. James Cueva, requested a motion to approve and accept the minutes of the May 16<sup>th</sup>, 2007 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Naumann seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Alvaro Cosculluela then announced that the following Unincorporated Miami-Dade County cases have made **agreements with the Building Official:**

### **Unincorporated Miami-Dade County:**

DC2005035837U	12400 SW 152 Street, B-8A6
DC20060100398U	1450 NE 191 Street
DC20060102179U	1175 Miami Gardens Drive
DC20060102181U	1075 Miami Gardens Drive
DC20060102422U	1101 NE Miami Gardens Drive
DC20060103221U	3356 NW 30 Street
DC2006095750U	9375 SW 56 Street
DC20070104218U	5181-83 NW 27 Avenue
DC20070108329U	9538 NW 7 Avenue
DCF2005105197U	10001 SW 82 Avenue, #2
DCF2006105623U	10832-38 NE 6 Avenue, #1
DCF2006105689U	10640 NW 12 Avenue, #1
DCF2006105725U	29349-67 Kingman Road, #1
DCF2006106198U	901-921 NE 88 Street, #1
DCF2006106199U	11700 NW 7 Avenue, #1
DCF2006106250U	2401 NW 33 Avenue, #1
DCF2006106603U	1350 NW 74 Street, #1



## **UNSAFE STRUCTURES BOARD HEARING MINUTES OF July 18<sup>th</sup>, 2007**

**Members Present:** James Cueva, Chairman      James Starkweather      Benjamin S. Essien  
Carlos Naumann      Kevin Deeb      Robert Sweeney  
Abel Ramirez      Jose Vera      Jose Escandell  
Emile Amedee

**Absent:** Gordon Loader, VC      Aymara D. Riley

**Staff:** Alvaro Cosculluela, P.E., Secretary of the Board  
Daniel Frastai, Assistant County Attorney  
Latisha Byrd, Recording Secretary

**Court Reporter:** Sherri, Official Reporting Services

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:15 P.M. on Wednesday, September 19<sup>th</sup>, 2007, on the 16<sup>th</sup> Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. James Cueva, requested a motion to approve and accept the minutes of the June 20<sup>th</sup>, 2007 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Vera seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Jorge Gamoneda then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

### **Unincorporated Miami-Dade County:**

DC20070104454U	7190 Sunset Drive
DC20070105013U	7910 NW 22 Avenue
DC20070106205U	9595 SW 160 Street
DC20070106420U	2540 NW 74 Street
DC20070107675U	2362 NW 95 Street, #2361
DCF2006105862U	2200 Red Road, #1
DCF2006106329U	6300 NW 77 Court, #1

### **City of Miami:**

M07-012	737 NW 2 Street
M07-013	751 NW 2 Street
M07-014	752 NW 3 Street
M07-017	3113 NW 21 Court
M07-018	3644 NW 21 Court

Mr. Gamoneda then announced that the following City of Coral Gables and City of Miami cases have made **No Contest/No Show with the Building Official:**

### **City of Coral Gables:**

CG2007-01	102 Menores Avenue
CG2007-03	124 Mendoza Avenue
CG2007-04	235 - 1 Majorca Avenue
CG2007-11	515 Catalonia Avenue

CG2007-12	935 Catalonia Avenue
CG2007-13	931 Catalonia Avenue
CG2007-18	4585 Ponce De Leon Blvd.
CG2007-19	1510 Salzedo Street
CG2007-20	39 Sidonia Avenue
CG2007-21	32 Santillane Avenue
CG2007-23	26 Santillane Avenue

**City of Miami:**

M07-015	875 NW 2 Street
M07-016	1181 NW 29 Street
M07-019	5431 NW 5 Avenue

Mr. Gamoneda then announced that the following Unincorporated Miami-Dade County and City of Coral Gables cases were **Withdrawn/Deferred:**

**Unincorporated Miami-Dade County:**

DC2006098641U	20701 SW 216 Street
DCF2005104727U	4010 NW 36 Avenue, #1
DCF2005104913U	8960 SW 87 Court, #1
DCF2006105861U	2230 SW 57 Avenue, #1

**City of Coral Gables:**

CG2007-02	406 Malaga Avenue
CG2007-05	37-41 Miracle Mile
CG2007-06	1150 Madruga Avenue
CG2007-07	4031 LeJeune Road
CG2007-08	1530 Liguria Avenue
CG2007-09	2701 Indian Mount Trail
CG2007-10	214 Giralda Avenue
CG2007-14	129-131 Almeria Avenue
CG2007-15	866 Ponce De Leon Blvd.
CG2007-16	2320-22 Ponce De Leon Blvd.
CG2007-17	4208 Ponce De Leon Blvd.
CG2007-22	624 Santander Avenue
CG2007-24	1132-40 S. Dixie Highway

**City of Miami:**

M07-020	1321 NW 8 Avenue A/K/A 1319 NW 8 Avenue
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The cases and photographs were submitted to the Board for review and were called by Mr. Gamoneda.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gamoneda. Mr. Vera seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*



Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Ms. Kathy Charles, Building Code Compliance Office, informed the Board Members of a County Commission meeting that will be held on Monday, July 23<sup>rd</sup>, 2007 at 5:45 PM to hear a presentation on the Unsafe Structures Board. She then advised the Chairman and Vice Chair of the Board to that their attendance was required.

Mr. James Cueva, Chairman, asked his colleagues to attend the meeting along with Mr. Loader and himself.

The Board then heard a status report from Ms. Rhonda Montoya-Hasan with the City of Miami Beach regarding case number BV07000159, 1632 Meridian Avenue.

**City of Miami Beach:**

BV07000159

1632 Meridian Avenue

Mrs. Rhonda Montoya-Hasan, Senior City Attorney, gave a status report on the structure and then informed the Board that the City perform a final inspection and it was approved.

Mr. Kenneth Robbins, Property Owner's Attorney, thanked the Board for working with them and commended them on wanting to preserve the property.

Mr. Gamoneda then called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

**Unincorporated Miami-Dade County Case:**

DCF2006105736U

2800 SW 72 Avenue, #1

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account of the structure and recommended that "Said any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the Miami-Dade Building Department within forty-five (45) days from today's date. The department's Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer's or architect's 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from today's date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today's date. Upon the property owner's failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). The Building Official's actions need not take place in the order listed here. If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s). If the permit process is delayed by reasons beyond Owner's control, Owner may request in writing an extension of the time provided for in this agreement and provide proof of the reasons for the delay to the Building Department. Such a request must be made prior to the expiration of the deadlines set forth in this agreement. Upon receipt of such a written request, the Building Department shall provide, if appropriate, a reasonable extension."

Mr. Ernesto Pino, Representative, informed the Board of their intent to demolish the building and proceeded to request additional time from the Board.

Mr. Cueva asked Mr. Pino how much time was needed to conduct the repairs and how long it will take to obtain a permit.

Mr. Pino replied that he will need 365 days due to budget restraints within the department. He then informed the Board that it can take three months to obtain a permit.

After some discussion, Mr. Essien moved that "Said Owner must submit a letter to the Building Department from a professional Structural Engineer indicating that the structure is not a windstorm hazard within thirty (30) days from today. Said structure must be demolished by an individual qualified to obtain a demolition permit within three hundred sixty (360) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible." Mr. Vera seconded the motion.

Mr. Gamoneda administered a roll call vote as requested by the Chairman.

**Motions passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Gamoneda then called forth the second case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

**Unincorporated Miami-Dade County Case:**

DC20070109141U

9229 NW 22 Avenue

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account of the structure and recommended that "Said structures (A) & (D) be secured within five 5 working days. The following securing method is approved: Storm Shutters. The structures are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with Engineer's Certification and Architect/Engineer sealed plans. A building permit must be obtained for structures for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within ninety (90) days from today. The complete building or structures shall be made to conform to all the Florida Building Code requirements for a new building or structures and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible."

Mr. Errickson then gave the recommendation for structures (B) & (C) "said structures shall be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the unsafe structures unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible."

Ms. Claudia Barona, Owner's Representative, informed the Board that the owner is currently in litigation. She then informed the Board that the owner doesn't have the funds to perform the repairs. Ms. Barona then enlightened the Board that the congregation of the church had been assisting the owner in maintaining the 4 -property.

Mr. Errickson reiterated to the owner that they must obtain a permit and secure the property.

After some discussion, Mr. Essien moved that “Said structures (A) & (D) are to be secured within ninety (90) working days. The structures are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures (A) & (D) must be repaired or completed with Engineer’s Certification & Architect/Engineer’s sealed plans. A building permit must be obtained for structures for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within three hundred sixty (360) days from today. The completion or repair of said structures (A) & (D) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami-Dade County and shall be completed within three hundred sixty (360) days from today. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible. Said structures (B) & (C) shall be demolished by an individual qualified to obtain a demolition permit within ninety (90) days from today from the unsafe structures unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.” Mr. Sweeney seconded the motion.

Mr. Gamoneda administered a roll call vote as requested by the Chairman.

**Motions passed 5 to 2. (Mr. Ramirez and Mr. Naumann abstained)**

*(For a verbatim version, please refer to the transcripts)*

Mr. Gamoneda then called forth the third and fourth case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

**Unincorporated Miami-Dade County Case:**

DCF2005104576U                      2121 NW 119 Street, #1

DCF2005104577U                      2121 NW 119 Street, #2

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account of the structures and recommended that “Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the Miami-Dade Building Department within forty-five (45) days from today’s date. The department’s Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer’s or architect’s 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from today’s date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today’s date. Upon the property owner’s failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). The Building Official’s actions need not take place in the order listed here. If the property owner fails to obtain a new 5 Certificate of Occupancy for the building(s) or structure(s)

within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s). If the permit process is delayed by reasons beyond Owner's control, Owner may request in writing an extension of the time provided for in this agreement and provide proof of the reasons for the delay to the Building Department. Such a request must be made prior to the expiration of the deadlines set forth in this agreement. Upon receipt of such a written request, the Building Department shall provide, if appropriate, a reasonable extension."

Mr. Leonard Cole, Pastor, indicated that he would like to clarify some information and asked when were the recertification was issued.

Mr. Errickson replied that the recertification was issued on May 20<sup>th</sup>, 1998.

Mr. Ramirez asked how much time is needed to obtain the 50-year recertification.

Mr. Cole replied that 120 days will be enough time for him to obtain the 50 year recertification. He then stated that the Building Department should follow the ordinance.

Mr. Ramirez enlightened Mr. Cole that the issue isn't with the Board and any concerns he has can be taken up with the Mayor's Office.

After some discussion, Mr. Naumann moved that "Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the Miami-Dade Building Department within one hundred twenty (120) days from today's date. The department's Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer's or architect's 40-year recertification report. The permit must be obtained within two hundred ten (210) days from today's date and the required repairs must be completed inclusive of a final inspection approval on the permit within three hundred (300) days from today's date. Upon the property owner's failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). The Building Official's actions need not take place in the order listed here. If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s). If the permit process is delayed by reasons beyond Owner's control, Owner may request in writing an extension of the time provided for in this agreement and provide proof of the reasons for the delay to the Building Department. Such a request must be made prior to the expiration of the deadlines set forth in this agreement. Upon receipt of such a written request, the Building Department shall provide, if appropriate, a reasonable extension." Mr. Vera seconded the motion.

Mr. Gamoneda administered a roll call vote as requested by the Chairman.

**Motions passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

There being no further business, a motion was made by Mr. Starkweather to adjourn the meeting at 3:10 P.M. and seconded by Mr. Deeb.

**Prepared by:** \_\_\_\_\_  
**Recording Secretary**

\_\_\_\_\_  
**Chairperson**

**Date:** \_\_\_\_\_

## **UNSAFE STRUCTURES BOARD HEARING MINUTES OF September 19<sup>th</sup>, 2007**

**Members Present:** James Cueva, Chairman      James Starkweather      Benjamin S. Essien  
Carlos Naumann      Kevin Deeb      Robert Sweeney  
Abel Ramirez      Jose Vera      Jose Escandell  
Emile Amedee

**Absent:** Gordon Loader, VC      Aymara D. Riley

**Staff:** Alvaro Cosculluela, P.E., Acting Secretary of the Board  
Daniel Frastai, Assistant County Attorney  
Latisha Byrd, Recording Secretary

**Court Reporter:** Sherri Capetillo, Official Reporting Services, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:15 P.M. on Wednesday, September 19<sup>th</sup>, 2007, on the 16<sup>th</sup> Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. James Cueva, requested a motion to approve and accept the minutes of the July 18<sup>th</sup>, 2007 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Vera seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Alvaro Cosculluela then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

### **Unincorporated Miami-Dade County:**

DC20070106142U	1015 NW 72 Street
DC20070106567U	495 NE 83 Street
DC20070109160U	13710 SW 8 Street
DC20070109399U	29600 S. Dixie Highway
DC20070109498U	8400 SW 8 Street
DC20070109875U	8295 NW 4 Avenue
DCF2003103268U	11303 NE 13 Avenue, #1
DCF2006106467U	4019 NW 28 Street, #1
DCF2007106760U	13750 NW 7 Avenue, #1
DCF2007106946U	1240 NW 119 Street, #1
DCF2007107346U	6850 SW 8 Street, #1
DCF2007107360U	7270 SW 42 Terrace, #1

### **City of Miami:**

M07-021	744 NW 3 Street
M07-022	1228 NW 4 Street
M07-023	1733 NW 33 Street

Mr. Cosculluela then announced that the following Unincorporated Miami-Dade County cases have made **No Contest/No Show with the Building Official:**

### **Unincorporated Miami-Dade County:**

DCF2007106667U	821 SW 67 Avenue, #1
DCF2007106690U	2300 NW 62 Street, #1

DCF2007106696U  
DCF2007107184U

2298 NW 62 Street, #1  
27100 Old Dixie Hwy., #1

Mr. Cosculluela then announced that the following Unincorporated Miami-Dade County cases were **Withdrawn/Deferred:**

**Unincorporated Miami-Dade County:**

DCF2007106667U 11625 NE 79 Street, #1

**City of Miami:**

M07-023 1733 NW 33 Street

The cases and photographs were submitted to the Board for review and were called by Mr. Cosculluela.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Cosculluela. Mr. Vera seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Cosculluela then called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

**Unincorporated Miami-Dade County Case:**

DC20070106774U 6711 NW 18 Avenue

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account of the structure and recommended that "Mr. Errickson gave an account of the structure and recommended that "Said structures be secured within five 5 working days. The following securing method is approved: Storm Shutters. The structure are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with Engineer's Certification and Architect/Engineer sealed plans. A building permit must be obtained for structure for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami-Dade County and shall be completed within three hundred sixty (360) days from today. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible."

Mr. Gregory King, Representative, gave the status of the structures and indicated that the property is occupied. He informed the Board that his intent is to do all the necessary repairs. Mr. King then requested additional time for the sale of the property.

Mr. Starkweather asked Mr. King how much time was needed to conduct the repairs.

Mr. King replied that it could take up to 180 days to obtain the permits to complete the repairs.

Mr. Cueva clarified with Mr. Errickson about the time that Mr. King needed to conduct the repairs are feasible or not. He then asked how long it would take to obtain a permit.

Mr. Errickson replied “yes”.

After some discussion, Mr. Ramirez moved that “Said structure shall be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with plans prepared by an Architect/Engineer or by a qualified individual. A building permit must be obtained for structure for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The completion or repair of said structure(s) shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Starkweather seconded the motion.

Mr. Cosculluela administered a roll call vote as requested by the Chairman.

**Motions passed 8 to 1. (Mr. Deeb opposed)**

*(For a verbatim version, please refer to the transcripts)*

Mr. Cosculluela then called forth the second case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

**Unincorporated Miami-Dade County Case:**

DCF2007106688U 1067 NW 79<sup>th</sup> Street, #1

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account of the structure and recommended that “A 40-year recertification report in the format required by the Miami-Dade County Building Department prepared by a Florida registered professional engineer or architect must be submitted to the Miami-Dade County Building Department’s Unsafe Structures Unit within 30 days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the Miami-Dade Building Department within forty-five (45) days from today’s date. The department’s Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer’s or architect’s 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from today’s date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today’s date.



Upon the property owner's failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). The Building Official's actions need not take place in the order listed here. If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s). If the permit process is delayed by reasons beyond Owner's control, Owner may request in writing an extension of the time provided for in this agreement and provide proof of the reasons for the delay to the Building Department. Such a request must be made prior to the expiration of the deadlines set forth in this agreement. Upon receipt of such a written request, the Building Department shall provide, if appropriate, a reasonable extension."

Mr. Eli Barnes, Owner, informed the Board that he recently purchased the property without the knowledge of the unsafe issues on the property. He then informed the Board that he requested for an Inspector to go out to point out the unsafe conditions.

Mr. Naumann asked Mr. Errickson why does the Building Department consider the property unsafe.

Mr. Errickson replied that the owner needed to hire an Engineer and submit the report to the Building Department for approval.

After some discussion, Mr. Naumann moved that "A 40-year recertification report in the format required by the Miami-Dade County Building Department prepared by a Florida registered professional engineer or architect must be submitted to the Miami-Dade County Building Department's Unsafe Structures Unit within 60 days from today's date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the Miami-Dade Building Department within seventy-five (75) days from today's date. The department's Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer's or architect's 40-year recertification report. The permit must be obtained within one hundred fifty (150) days from today's date and the required repairs must be completed inclusive of a final inspection approval on the permit within two hundred ten (210) days from today's date. Upon the property owner's failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). The Building Official's actions need not take place in the order listed here. If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 150 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s). If the permit process is delayed by reasons beyond Owner's control, Owner may request in writing an extension of the time provided for in this agreement and provide proof of the reasons for the delay to the Building Department. Such a request must be made prior to the expiration of the deadlines set forth in this

agreement. Upon receipt of such a written request, the Building Department shall provide, if appropriate, a reasonable extension.” Mr. Vera seconded the motion.

Mr. Cosculluela administered a roll call vote as requested by the Chairman.

**Motions passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

There being no further business, a motion was made by Mr. Starkweather to adjourn the meeting at 2:45 P.M. and seconded by Mr. Deeb.

**Prepared by:** \_\_\_\_\_

**Recording Secretary**

\_\_\_\_\_

**Chairperson**

**Date:** \_\_\_\_\_

## **UNSAFE STRUCTURES BOARD HEARING MINUTES OF October 17<sup>th</sup>, 2007**

**Members Present:** James Cueva, Chairman      Gordon Loader, VC      Jose Vera  
James Starkweather      Benjamin S. Essien      Kevin Deeb  
Carlos Naumann      Aymara D. Riley      Jose Escandell

**Absent:** Robert Sweeney      Emile Amedee      Abel Ramirez

**Staff:** Alvaro Cosculluela, P.E., Acting Secretary of the Board  
Benjamin Simon, Assistant County Attorney  
Latisha Byrd, Recording Secretary

**Court Reporter:** Barbara Kaplan, Official Reporting Services, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:37 P.M. on Wednesday, October 17<sup>th</sup>, 2007, on the 16<sup>th</sup> Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. James Cueva, requested a motion to approve and accept the minutes of the September 19<sup>th</sup>, 2007 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Deeb seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Alvaro Cosculluela then announced that the following Unincorporated Miami-Dade County cases have made **agreements with the Building Official:**

### **Unincorporated Miami-Dade County:**

DC20070110211U	4265 NW 22 Court
DCF2006106849U	4350 NW 32 Avenue, #1
DCF2006106850U	4350 NW 32 Avenue, #2
DCF2007107161U	10015 SW 172 Street, #1
DCF2007107416U	9595 SW 160 Street, #1

Mr. Cosculluela then announced that the following Unincorporated Miami-Dade County cases have made **No Contest/No Show with the Building Official:**

### **Unincorporated Miami-Dade County:**

DC20070109653U	7040 NW 179 Street
DCF2007106931U	20750 SW 320 Street, #2
DCF2007107384U	8215 SW 72 Avenue, #1
DCF2007107385U	8215 SW 72 Avenue, #2
DCF2007107386U	8215 SW 72 Avenue, #3

Mr. Cosculluela then announced that the following Unincorporated Miami-Dade County cases were **Withdrawn/Deferred:**

### **Unincorporated Miami-Dade County:**

DC2006098641U	20701 SW 216 Street
DC20070109749U	327-329 NW 95 Street
DC20070109838U	202 NW 150 Street
DC20070111935U	6317 NW 18 Avenue

DCF2006106480U	3333 N. River Drive, #2
DCF2007106695U	6690 NW 18 Avenue, #1
DCF2007106975U	11810 NE 16 Avenue, #1
DCF2007106976U	11810 NE 16 Avenue, #2
DCF2007107024U	6530 NW 18 Avenue, #1
DCF2007107195U	6500 SW 8 Street, #1

Mr. Cosculluela then announced that the following Unincorporated Miami-Dade County cases were a **Status Report/Clarification:**

**Unincorporated Miami-Dade County:**

DC200317911U	7000 NW 41 Street
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**City of South Miami:**

SM06-01	6291 SW 42 Terrace
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The cases and photographs were submitted to the Board for review and were called by Mr. Cosculluela.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Cosculluela. Mr. Essien seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

**Status Report**

The Board then heard a status report from Mr. Jose Perez with GSA regarding the Turner Guilford Knight Correctional Center (TGK).

Mr. Jose Perez, GSA, Representative for TGK, informed the Board of the status of the (TGK). He then informed the Board that it has been projected that the Smoke Evacuation and Fire Alarm system would be completed by June 2008. Mr. Perez then stated that June 24, 2008 remains the completion date for all repairs. He also informed the Board that the notice to proceed with the Smoke Evacuation Chase Repairs was issued on April 5, 2007 to Chevron Energy Solution (CES) to repair and seal the smoke evacuation chases at the TGK Correctional Facility. Mr. Perez then enlightened the Board that CES has committed to completing the work within 423 consecutive calendar days, which estimated completion date will be Monday, June 2, 2008. He also informed the Board that there are some pods in the facility that are 100% completed and some are 97.5% completed. Mr. Perez further informed the Board that the construction work on the Pod's are completed as per Schirmer Smoke Evacuation Chase Repairs Construction Documents and the testing & balance results are still pending from CES. He also informed the Board that the Stockade repairs have been completed. Mr. Perez stated that the roofing work, structural and general repairs were 100% completed. He then further informed the Board that additional electrical work is expected to be completed by the end of 2007.

### **Clarification**

The Board then heard a City of South Miami case to re-clarify the Board Order for the property owner of 6291 SW 42 Terrace dated December 2006.

Mr. Damas, Property Owner, stated that he received a notice from the City of South Miami to demolish his property because he was in non-compliance of the Board Order. He then informed the Board that he submitted the plans to the City before the deadline. He further informed the Board that he started the work on September 9<sup>th</sup>, 2007 and a master permit was submitted on July 30<sup>th</sup>, 2007.

After some discussion, Mr. Loader made a motion to clarify the previous Board Order that transmitted from the original hearing date of December 13<sup>th</sup>, 2006. The following clarification was made: The prior Board Order transmitted on December 20<sup>th</sup> 2007 and issued in this matter remains unmodified and in full effect. With regard to that Board Order, the Board determined that the phrase “permit” refers to the master permit. It does not refer to any subsequent revisions or amendments thereto, and it does not refer to any subsidiary (i.e. roofing, electrical, plumbing) permits. The date of issuance of the master permit shall be taken as the relevant date for determining compliance with the Board’s order; however, the date for completion is not a fixed date. Pursuant to the provisions of the 2004 Florida Building Code, an automatic six (6) month extension is applied to the completion date following each successful inspection.

Mr. Cosculluela administered a roll call vote as requested by the Chairman.

### **Motions passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Cosculluela then called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

### **Unincorporated Miami-Dade County Case:**

DCF20070106691U

6711 NW 18 Avenue, #1

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account of the structure and recommended that “Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the Miami-Dade Building Department within forty-five (45) days from today’s date. The department’s Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer’s or architect’s 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from today’s date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today’s date. Upon the property owner’s failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). The Building Official’s actions need not take place in the order listed here. If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s).”

Mr. Gregory King, Representative, gave the status of the structures and indicated that the property is occupied. He informed the Board that his intent is to do all the necessary repairs. Mr. King then requested additional time to do the repairs of the property.

Mr. Starkweather asked Mr. King how much time was needed to conduct the repairs.

Mr. King replied that it could take up to 90 days to obtain the permits to complete the repairs.

Mr. Cueva clarified with Mr. Errickson about the time that Mr. King needed to conduct the repairs. He then asked how long it would take to obtain a permit.

Mr. Errickson replied “yes”.

After some discussion, Mr. Loader moved that “A 40-year recertification report in the format required by the Miami-Dade County Building Department prepared by a Florida registered professional engineer or architect must be submitted to the Miami-Dade County Building Department’s Unsafe Structures Unit within 60 days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: The department’s Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer’s or architect’s 40-year recertification report. The permit must be obtained within one hundred fifty (150) days from today’s date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days after obtaining the permit. If the property owner fails to comply with any of the above conditions, then the Building Official shall demolish such building(s) or structure(s). The Unsafe Structures Board shall retain jurisdiction.” Mr. Vera seconded the motion.

Mr. Cosculluela administered a roll call vote as requested by the Chairman.

**Motions passed 8 to 1. (Mr. Essien opposed)**

*(For a verbatim version, please refer to the transcripts)*

Mr. Cosculluela then called forth the second case to be heard by the City of Miami Beach.

**City of Miami Beach Case:**

BV07000609

2000 Park Avenue

Ms. Rhonda Montoya-Hasan, City Attorney, gave an account of the structure and requested that case be continued until the next hearing. She informed the Board that they are not in agreement with the property owner.

Mr. Michael Marrero, Attorney, informed the Board that the owner would like to proceed with the case today. He then informed the Board that the owner wants to demolish property, but could not move forward unless the Board issues a demolition order.

Mr. Essien asked the City about historic preservation for this property.

Mr. William Carey, City of Miami Beach, enlightened the board that the building is in imminent danger and there are also some safety issues. He then stated that the building is one of the oldest buildings within in the City of Miami Beach. Mr. Carey further explained to the board the economic value to save the building.

Ms. Montoya-Hasan, stated that the City of Miami Beach Preservation Board designated that the building could be restored.

Mr. Dean Carson, Structural Engineer, expressed his concerns about the roof collapsing when someone does the inspection. He informed the Board that he tested the property and the building was found to be in poor condition.

After some discussion, Mr. Starkweather moved that "Case shall be deferred to the December 12<sup>th</sup>, 2007 hearing per the Unsafe Structures Board. The Unsafe Structures Board deferred this matter for fifty-five (55) days to allow the Historic Preservation Board time to consider a resolution regarding the historic significance of the subject property and submit such findings to the Unsafe Structures Board at the December 12<sup>th</sup>, 2007 hearing." Mr. Naumann seconded the motion.

Mr. Cosculluela administered a roll call vote as requested by the Chairman.

**Motions passed 7 to 2. (Mr. Essien and Ms. Riley were opposed)**

*(For a verbatim version, please refer to the transcripts)*

There being no further business, a motion was made by Mr. Starkweather to adjourn the meeting at 3:45 P.M. and seconded by Mr. Deeb.

**Prepared by:** \_\_\_\_\_  
**Recording Secretary**

\_\_\_\_\_  
**Chairperson**

**Date:** \_\_\_\_\_

## **UNSAFE STRUCTURES BOARD HEARING MINUTES OF November 14<sup>th</sup>, 2007**

**Members Present:** James Cueva, Chairman      Jose Vera      Benjamin S. Essien  
Kevin Deeb      Carlos Naumann      Aymara D. Riley  
Jose Escandell      Robert Sweeney      Emile Amedee  
Abel Ramirez

**Absent:** James Starkweather      Gordon Loader, VC

**Staff:** Alvaro Cosculluela, P.E., Acting Secretary of the Board  
Daniel Frastai, Assistant County Attorney  
Latisha Byrd, Recording Secretary

**Court Reporter:** Elaine Dahan, Official Reporting Services, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:18 P.M. on Wednesday, November 14<sup>th</sup>, 2007, on the 16<sup>th</sup> Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. James Cueva, requested a motion to approve and accept the minutes of the October 17<sup>th</sup>, 2007 Unsafe Structures Board Meeting. Mr. Naumann moved to accept the minutes of the board meeting. Mr. Essien seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Alvaro Cosculluela then announced that the following Unincorporated Miami-Dade County cases have made **agreements with the Building Official:**

### **Unincorporated Miami-Dade County:**

DCF2007106812U	2500 NW 103 Street, #1
DCF2007106877U	3431 NW 32 Avenue, #1
DCF2007106960U	15395 N. Miami Avenue, #1
DCF2007107015U	2160 NW 79 Street, #1
DCF2007107223U	12501 NW 27 Avenue, #1
DCF2007107224U	12501 NW 27 Avenue, #2
DCF2007107324U	2747-57 NW 54 Street, #1

Mr. Cosculluela then announced that the following Unincorporated Miami-Dade County cases have made **No Contest/No Show with the Building Official:**

### **Unincorporated Miami-Dade County:**

DCF2007106780U	200 NE 112 Street, #2
DCF2007107242U	18502 W. Dixie Hwy., #1
DCF2007107338U	2901-15 NW 21 Terrace, #1

Mr. Cosculluela then announced that the following Unincorporated Miami-Dade County cases were **Withdrawn/Deferred:**

### **Unincorporated Miami-Dade County:**

DCF2006105852U	7606 NW 17 Avenue, #1
DCF2007106763U	10335 NW 27 Avenue, #1
DCF2007106942U	10421 NW 27 Avenue
DCF2007107241U	11629-33 NW 7 Avenue, #1



DCF2007107292U  
DCF2007107342U

4275 NW 77 Avenue, #1  
275 NW 72 Avenue, #1

The cases and photographs were submitted to the Board for review and were called by Mr. Cosculluela.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Deeb moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Cosculluela. Mr. Vera seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Cosculluela then informed the members of the Unsafe Structures Board that there were not any cases to be heard.

There being no further business, a motion was made by Mr. Deeb to adjourn the meeting at 2:20 P.M. and seconded by Mr. Essien.

**Prepared by:** \_\_\_\_\_  
**Recording Secretary**

\_\_\_\_\_  
**Chairperson**

**Date:** \_\_\_\_\_

## **UNSAFE STRUCTURES BOARD HEARING MINUTES OF December 12<sup>th</sup>, 2007**

**Members Present:** James Cueva, Chairman      Jose Vera      Benjamin S. Essien  
Kevin Deeb      Carlos Naumann      Aymara D. Riley  
Jose Escandell      Robert Sweeney      Abel Ramirez  
James Starkweather

**Absent:** Emile Amedee      Gordon Loader, VC

**Staff:** Alvaro Cosculluela, P.E., Acting Secretary of the Board  
Benjamin Simon, Assistant County Attorney  
Latisha Byrd, Recording Secretary

**Court Reporter:** Tanya Settler, Official Reporting Services, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:20 P.M. on Wednesday, December 12<sup>th</sup>, 2007, on the 16<sup>th</sup> Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. James Cueva, requested a motion to approve and accept the minutes of the November 14<sup>th</sup>, 2007 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Deeb seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Alvaro Cosculluela then announced that the following Unincorporated Miami-Dade County, City of Miami and City of Opa-Locka cases have made **agreements with the Building Official:**

### **Unincorporated Miami-Dade County:**

DC20060102833U	19055 NW 62 Avenue
DC20070103269U	18965 NW 62 Avenue
DC20070103270U	18725 NW 62 Avenue
DC20070107947U	5540 SW 78 Street, #29
DC20070110785U	10670-10694 Coral Way
DC20070111475U	25820 SW 137 Avenue
DC20070111657U	2258 NW 58 Street
DCF2005105394U	7500 NW 22 Avenue, #1
DCF2007106834U	5801 NW 22 Avenue, #1
DCF2007107171U	12101 SW 219 Street, #1

### **City of Miami:**

M07-025	1149 NW 1 Place
M07-026	1221 NW 44 Street
M07-028	1898 NW 1 Avenue

### **City of Opa-Locka:**

OLU2007-10	2141 & 2151 Ali Baba Avenue
OLU2007-14	2749 NW 131 Street, Bldg. 5, 6, 11-14

Mr. Cosculluela then announced that the following Unincorporated Miami-Dade County, City of Miami and City of Opa-Locka cases have made **No Contest/No Show with the Building Official:**

**Unincorporated Miami-Dade County:**

DC20070103895U	1400-80 NW 95 Street
DCF2006106415U	12001-03 SW 218 Street
DCF2007106878U	3251 NW 28 Street, #1
DCF2007107423U	14090 SW 127 Street, #1
DCF2007107424U	14090 SW 127 Street, #6

**City of Miami:**

M07-027	1346-1348 NW 44 Street
M07-029	2110 N. Miami Avenue
M07-031	2940 SW 22 Street
M07-032	3451 Charles Avenue

**City of Opa-Locka:**

OLU2007-11	2016 Washington Avenue
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Mr. Cosculluela then announced that the following Unincorporated Miami-Dade County, City of Miami and City of Florida City cases were **Withdrawn/Deferred:**

**Unincorporated Miami-Dade County:**

DC2006081964U	1398 NW 79 St. Club House
DCF2007106766U	719 NW 111 Street, #1
DCF2007107081U	3038 NW N. River Drive, #2
DCF2007107107U	7085 SW 24 Street, #1
DCF2007107316U	7770 NW 22 Avenue, #1
DCF2007107317U	1353 NW 79 Street, #1

**City of Miami:**

M07-024	821 SW 23 Avenue
M07-030	2337 NW 2 Street

**City of Opa-Locka:**

OLU2007-12	14435 NW 20 Avenue
OLU2007-13	1958 Lincoln Street
OLU2007-15	1816 Ali Baba Avenue
OLU2007-16	1804 Ali Baba Avenue

**City of Florida City:**

FC2007-01	704-706 NW 9 Street
FC2007-02	716-718 NW 9 Street
FC2007-03	720-726 NW 9 Street
FC2007-04	725-735 NW 9 Street
FC2007-05	730-736 NW 9 Street
FC2007-06	741-745 NW 9 Street
FC2007-07	746-748 NW 9 Street
FC2007-08	755-765 NW 9 Street

**City of Florida City:**

FC2007-09	756-758 NW 9 Street
FC2007-010	756-758 NW 9 Street
FC2007-011	766-768 NW 9 Street
FC2007-012	786-788 NW 9 Street

The cases and photographs were submitted to the Board for review and were called by Mr. Cosculluela.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Cosculluela. Mr. Escandell seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

**Status Report**

The Board then heard a status report from Mr. Mickey Morrero, Attorney for the property owner of case BV07000609 located at 2000 Park Avenue in the City of Miami Beach.

Mr. Mickey Marrero, Attorney, informed the Board that the owner would like to request an extension until March 2008. He then informed the Board that the owner and the City of Miami Beach are in agreement.

Ms. Rhonda Montoya-Hasan, City Attorney, gave an account of the structure and requested that this case be continued until March 2008 hearing. She informed the Board that they are in agreement with the property owner.

After some discussion, Mr. Starkweather moved to “accept the status report and granted the extension until March 2008.” Mr. Deeb seconded the motion.

Mr. Cosculluela administered a roll call vote as requested by the Chairman.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Cosculluela then informed the members of the Unsafe Structures Board that there were not any cases to be heard.

There being no further business, a motion was made by Mr. Deeb to adjourn the meeting at 2:05 P.M. and seconded by Mr. Essien.

**Prepared by:** \_\_\_\_\_  
**Recording Secretary**

\_\_\_\_\_  
**Chairperson**

**Date:** \_\_\_\_\_